

California Department of Corrections and Rehabilitation

Office of Audits and Compliance




Operational Peer Review

Baker Community Correctional Facility

January 7 through January 11, 2008

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Review of Community Correctional Facilities

Baker Community Correctional Facility

INTRODUCTION

This program review of Community Correctional Facilities (CCF) operations was conducted at Baker CCF by the Compliance/Peer Review Branch (CPRB), Office of Audits and Compliance, during the period of January 7-11, 2008. The review team utilized the California Penal Code (PC), California Code of Regulations (CCR), Title 15, California Department of Corrections and Rehabilitation's (CDCR) Department Operations Manual (DOM), the CCF Financial Management Handbook (FMH), and the CCF Statement of Work, as the primary sources of operational standards.

This review was conducted by Dave Stark, Correctional Counselor (CC) II; Tony Alleva, Facility Captain; Michael Brown, Correctional Lieutenant; and Nancy Fitzpatrick, Associate Governmental Program Analyst, of the CPRB.

The review consisted of on-site inspection, interviews with staff and inmates, reviews of procedures, other documentation, and observation of Facility operations.

The purpose of the CPRB review is one of overall analysis and evaluation of the Facility's compliance with the terms and conditions of State regulations, departmental policy and contract agreement.

Each area was reviewed by a minimum of two primary reviewers and cross-verified by other members of the team when possible. Overall findings presented in the attached report represent the consensus of the entire review team.

Review of Community Correctional Facilities

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REVIEW SCOPE AND METHODOLOGY

The CPRB conducted an on-site review at Baker CCF during the period January 7-11, 2008. The purpose of this review was to assess the level of compliance with the terms and conditions of State regulations, departmental policy, and contract agreement. This review and the attached findings represent the formal review of Baker CCF's compliance by CPRB.

The scope and methodology of this review was based upon written review procedures developed by CPRB and provided to Baker CCF staff in advance of the review.

Random sampling techniques were employed as an intrinsic part of the review process.

For the purposes of this review, members of the team toured the Facility. Inspections were conducted in housing, food service, medical, and [REDACTED]. Randomly selected inmates were informally interviewed based upon their interest and willingness to talk to the reviewers.

Throughout the tour, on-duty contractor and departmental staff at all levels (medical, parole, management and administrative, and custody) were interviewed regarding current practices.

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EXECUTIVE SUMMARY

During this formal review of the Facility's compliance with the terms and conditions of State regulations, departmental policy, and contract agreement at Baker CCF, the Facility was found to be in compliance with 77 (97 percent) of the 79 ratable areas. Three standards were not ratable during this review. Areas of concern were found in the following areas:

- **Signing of Post Orders.** The review revealed that Baker CCF has 38 custody staff assigned to 28 identified posts that require 58 signatures on the post orders. Of the 58 required signatures, 44 (76 percent) were present showing that the staff members had signed the acknowledgment sheet confirming the reading and understanding of the duties for the post.
- **Refrigeration.** Milk was observed stored on the floor and not on shelving or pallets in the Facility walk-in refrigeration.

A complete description of these finding areas may be found in the narrative section of this report.

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SUMMARY CHART (SYMBOL DEFINITIONS)

The following chart represents individual review findings in relation to CCR, Title 15, DOM, PC, and contract agreement.

Each item is rated as to whether or not the Institution is in compliance. The chart utilizes the following symbols to denote compliance ratings:

SYMBOL	DEFINITION
Compliance (C)	The requirement is being met.
Partial Compliance (P/C)	The institution is clearly attempting to meet the requirement, but significant discrepancies currently exist.
Noncompliance (N/C)	The institution is clearly not meeting the requirement.
Not Applicable (N/A)	Responsibility for compliance in this area is not within the authority of the institution.
Not Ratable (N/R)	No measurable instances.

At the end of the chart is a Comparative Statistical Summary Chart of Review Findings. This summary presents a mathematical breakdown of compliance by total items and percentages (%).

Review of Community Correctional Facilities

Baker Community Correctional Facility

SUMMARY CHART

REVIEW STANDARD	REVIEW FINDING 6/06	REVIEW FINDING 1/08	PAGE NO.
I. ADMINISTRATION			
A) Operations Manual.	C	C	1
B) Restricted Operational Procedures.	C	C	1
C) Program Cost Reports.	C	C	2
II. PERSONNEL			
A) Master Staffing Plan.	P/C	C	3
B) Position Changes.	N/R	N/R	3
C) Job Descriptions and Duty Statements.	P/C	C	4
D) Post Orders.	C	C	4
1. Staff to Sign the Post Order Acknowledgement Form (CDC 1860).	P/C	P/C	5
E) Background Investigation.	C	C	5
F) Personnel Policies.	C	C	6
III. TRAINING			
A) Training Policy.	C	C	7
B) Training Records.	C	C	7
C) Training Reviews.	C	C	8
IV. CLASSIFICATION			
A) Operational Plan.	C	C	8
B) Composition.	C	C	9
C) Initial Classification.	C	C	9
D) Documentation.	C	C	10
V. PROGRAMS			
A) The Inmate Work Training Incentive Program (IWTIP).	C	C	10
B) Pre-Release.	C	C	11

REVIEW STANDARD	REVIEW FINDING 6/06	REVIEW FINDING 1/08	PAGE NO.
C) Educational Programs-Credential Standards.	P/C	C	11
1. Adult Basic Education (ABE).	C	C	12
2. Education Hours.	C	C	12
D) Religious Programs.	C	C	13
E) Library Services.	C	C	13
F) Visiting.	C	C	14
G) Canteen.	C	C	14
H) Recreation Programs.	C	C	15
I) Medical Services.	C	C	16
1. Health Records.	C	C	16
VI. DISCIPLINE			
A) Policy.	C	C	17
B) Disciplinary Actions.	C	C	17
C) Documentation.	C	C	18
D) Classification of Rule Violations.	C	C	18
E) Authority.	C	C	19
F) Records of Disciplinary Matters.	C	C	19
VII. RECORDS			
A) Inmate Files.	C	C	20
B) File Security.	C	C	20
C) Release of Information.	C	C	21
D) Daily Movement Sheets (DMS).	C	C	21
VIII. APPEALS			
A) Forms.	C	C	22
B) Informal Level.	C	C	22
C) First Level.	C	C	23
D) Second Level.	C	C	23

REVIEW STANDARD	REVIEW FINDING 6/06	REVIEW FINDING 1/08	PAGE NO.
E) Record of Appeals.	C	C	23
F) CCR, Title 15.	C	C	24
G) Training.	C	C	24
[Redacted]			
[Redacted]	■	■	■
[Redacted]	C	C	26
[Redacted]	■	■	■
[Redacted]	■	■	■
[Redacted]	■	■	■
[Redacted]	■	■	■
[Redacted]	■	■	■
[Redacted]	■	■	■
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[Redacted]	■	■	■
X. SAFETY			
A) Fire Safety.	C	C	33
1. Fire Drills.	C	C	34
2. Annual Inspection.	C	C	34
B) Hazardous Material.	C	C	34
XI. GENERAL			
A) New Arrivals.	C	C	35
B) Hygiene.	C	C	36
C) Inmate Telephones.	C	C	36

[illegible]

REVIEW STANDARD	REVIEW FINDING 6/06	REVIEW FINDING 1/08	PAGE NO.
D) Inmate Mail.	C	C	37
E) Inmate Access to Computers.	C	C	37
F) Security Areas.	C	C	38
G) Housekeeping and Maintenance.	C	C	38
XII. FOOD SERVICES			
A) Meals.	C	C	39
B) Special Diets.	C	C	39
C) Meal Samples.	C	C	40
D) Inmate Workers.	C	C	40
E) Health Codes.	C	C	41
F) Dry Storage.	C	C	41
G) Refrigeration.	P/C	P/C	42
H) Vector Control.	C	C	42
XIII. DEPARTMENTAL/FACILITY INTERCOMMUNICATION			
A) Hub Institutions.	C	C	43
B) Mutual Aid.	C	C	43

Review of Community Correctional Facilities

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COMPARATIVE STATISTICAL SUMMARY CHART

JUNE 2006—JANUARY 2008 REVIEW FINDINGS

RATING	TOTAL 06/06	RATING % 06/06	TOTAL 1/08	RATING % 1/08
COMPLIANCE	74	93%	77	97%
PARTIAL COMPLIANCE	6	7%	2	3%
NONCOMPLIANCE	0	0	0	0
NOT RATABLE	2	0	3	0
TOTAL	82	100%	82	100%

Formal Review of

Baker Community Correctional Facility

SUMMARY OF FACILITY REVIEWED

Baker CCF is a 262 bed private facility, located in the City of Baker, California. The Facility is managed by Cornell Private Corrections, Inc. At the time of this review, the population of the Baker CCF was 258 inmates under the jurisdiction of CDCR.

I. ADMINISTRATION

- A. **Operations Manual.** The contractor maintains a current operations manual summarizing approved methods of implementing CDCR policies, which provides details for daily operation of the program. The manual has been submitted and approved by CDCR on an annual basis.
(Authority: CCR, Section 3380; Statement of Work, Contractor Authority and Responsibilities- Public, page 2B; and Private, pages 3A and 3B.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's current Policy and Procedures Manual and interviewed staff.

The review revealed that the Facility maintains current policies and procedures that outline the operations of the Facility. These policies have been approved by CDCR.

- B. **Restricted Operational Procedures.** The contractor, when establishing written policies and procedures in accordance with DOM, Section 55,000, will maintain such policies and procedures as "confidential" and "restricted." Confidential and restricted information will not be made available to inmates. Such procedures shall include but are not limited to: Emergency Operations.

Key/Locking Devices.
Job Action Contingency Plan.
Escape Pursuit Plan.
Prisoner Transportation.
Gang Management.

(Authority: DOM, Section 55000; Statement of Work, Contractor Authority and Responsibilities-Public, page 2B; and Private, pages 3B, 11, and 12.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's current Policies and Procedures Manual and interviewed staff.

The review revealed that the Facility maintains a complete, confidential and restricted Procedures Manual that is kept under lock and key by management personnel and is unavailable to the inmate population. These restricted procedures include, but are not limited to, Emergency Operations, Section 3; Key/Locking Devices, No. 204-2; Job Action Contingency Plan, Section 20; Escape Pursuit Plan, Section 11; Prisoner Transportation, No. 206-1; and Gang Management, No 204-6.

- C. **Program Cost Reports.** The contractor has submitted the required quarterly and annual program cost reports to the Correctional Community Facilities Administration (CCFA).
(Authority: FMH, Financial Management of Funds, Public, page 8 III-A; and Private, page 12D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's quarterly and annual program cost reports and interviewed staff.

The review revealed that Baker CCF submitted to the CCFA all quarterly reports for 2006/07. The annual report was submitted in August 2007.

II. PERSONNEL

- A. **Master Staffing Plan.** The contractor maintains a master staffing plan that includes administrative as well as posted positions and reflects corresponding position numbers.
(Authority: FMH, Accounting System/Financial Records, Allowable Costs, Personnel Costs-Public, page 3D; and Private, page 8D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's master staffing plan and interviewed staff.

The review revealed that Baker CCF maintains a master staffing plan that includes administrative and posted positions. This plan identifies the employee and the corresponding position number (I.D. number).

- B. **Position Changes.** Any changes to classification, function, responsibility or post assignment are accompanied by an approved "Change of Established Positions" form and an approved "Post Assignment Schedule Summary" and "Post Assignment Detail" when it affects posted positions.
(Authority: FMH, Accounting System/Financial Records, Allowable Costs, Personnel Costs-Public, page 3D; and Private, page 8D.)

FINDING

NOT RATABLE

Baker CCF has not requested any changes to previously approved established positions in the past year. Therefore, this standard is not ratable during this review period.

- C. **Job Descriptions and Duty Statements.** The contractor maintains current job descriptions and duty statements for staff paid through the CDCR contract.
(Authority: FMH, Accounting System/Financial Records, Allowable Costs, Personnel Costs-Public, page 3D; and Private, page 8D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's current job descriptions, duty statements, and interviewed staff.

The review revealed that the Facility maintains current job descriptions and duty statements for all staff.

- D. **Post Orders.** The contractor provides post orders, on the post, for security staff.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 3; Private, page 3B; DOM, Section 51040.6. Reference: PC, Section 5058, FMH-Public, page 3D; and Private, page 8D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's post orders and interviewed staff.

For security reasons, the Baker CCF post orders are located in the Security Office on the yard, Receiving and Release and in Central Control. Each (100 percent) of the 28 post orders were current.

1. Each custody staff member assigned to a post for the first time shall be provided with a copy of the appropriate post order upon assuming the post. The staff member has signed the acknowledgment sheet of the post orders on their assigned work site confirming the reading and understanding of duties for the post.
(Authority: DOM, Section 51040.6.1. Reference: PC, Section 5058; and FMH-Private, page 8D.)

FINDING

PARTIAL COMPLIANCE

The CPRB examined Baker CCF's post orders and interviewed staff.

The review revealed that Baker CCF has 38 custody staff assigned to 28 identified posts that require 58 signatures on the post orders. Of the 58 required signatures, 44 (76 percent) were present showing that the staff members had signed the acknowledgment sheet confirming the reading and understanding of the duties for the post.

- E. **Background Investigations.** Security personnel will complete a CDCR background investigation at private facilities. A CDCR-approved background investigation will be completed for security personnel at public facilities. A CDCR background investigation will be conducted for personnel at private facilities. Personnel records will document that the staff member passed the background process.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 6; Private, pages 1, 2, and 3; and FMH- Private, page 8D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's personnel records and interviewed staff.

The review revealed that all security personnel assigned to the Baker CCF undergo a CDCR background investigation. The review team examined ten personnel records for Baker CCF staff. Each (100 percent) record contained the CDCR background unit's final clearance and/or a provisional "contingent" clearance. Provisional clearances are given pending the completion of the formal background investigation by CDCR.

- F. **Personnel Policies.** The contractor shall establish and maintain personnel policies that address but are not limited to:

Fraternization.

Over Familiarity.

Ex-Felon Employment.

Nepotism.

Employee Grievance and Appeal Process.

(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, pages 3C and 4; and Private, page 8D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's personnel policies and interviewed staff.

The review revealed that the Baker CCF maintains a current policy on fraternization, No. 172-2; over familiarity, No. 172-2; ex-felon employment, No. 162-1; nepotism, No. 101-10; and employee grievance and appeal processes, No. 103-13. Facility practice is consistent with policy.

III. TRAINING

- A. **Training Policy.** The Facility maintains a current approved training policy that delineates training requirements for staff and meets the requirements of the Correctional Standards Authority (CSA) and/or CDCR
(Authority: Statement of Work, Contractor Authority and Responsibilities; CDCR/CSA Agreement-Public, page 6D; and Private, page 6D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's current training policy and interviewed staff.

The review revealed Baker CCF has an established current training policy, No. 184-1, which has been approved by the CSA. Facility practice is consistent with policy.

- B. **Training Records.** The Facility maintains training records for all custody/security staff.
(Authority: Statement of Work, Contractor Authority and Responsibilities; CDCR/CSA Agreement-Public, page 6D; and Private, pages 6D and 7.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's training records and interviewed staff.

The review revealed that Baker CCF maintains training records for all custody/security staff assigned to the Facility.

- C. **Training Reviews.** The Facility is in compliance with the annual training requirements of the CSA.
(Authority: Statement of Work, Contractor Authority and Responsibilities; CDCR/CSA Agreement–Public, page 6D; and Private, page 6D.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's current training records and interviewed staff.

The CPRB randomly selected ten training records of staff assigned to Baker CCF. Each staff member is required to receive CDCR Orientation training and the Basic Correctional Officer Certification course. Of the 20 required classes, 18 (90 percent) have been completed.

IV. CLASSIFICATION

- A. **Operational Plan.** The Facility has established and follows an operational plan in accordance with DOM and the CCF Screening Handbook for the operation of classification services.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, pages 1, 2B, 3C, and 6E; and Private, page 1C.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's operational plan and interviewed staff.

The review revealed that Baker CCF has an established policy, No. 261-4 and 280-1, in accordance with DOM and the CCF Screening

Handbook, for the classification of inmates housed within the Facility.

- B. **Composition.** Classification committees meet composition and quorum requirements of DOM, with initial Facility Classification Committee composed of:

Community Correctional Facility Manager (Chairperson).

CC III (Alternate Chairperson).

CC II (Recorder).

Inmate Assignment/Program Coordinator.

Educational or Vocational Program Representative.

Other members as appropriate.

(Authority: CCR, Section 3376; DOM, Section 62010.8.2; Statement of Work, Contractor Authority and Responsibilities-Public, page 6E; Private, pages 8; and PC, Section 5058.)

FINDING

COMPLIANCE

The CPRB reviewed the CDC 128-Gs and interviewed staff.

The review revealed that the composition of the classification committee meets the requirements for this standard.

- C. **Initial Classification.** Initial classification is held within 14 calendar days of the inmate's arrival to the Facility.
(Authority: DOM, Section 62010.8.3; Statement of Work, Contractor Authority and Responsibilities-Public, page 6E; and Private, page 8F.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures, inmate field files, observed classification committee, and interviewed staff.

The review revealed that initial classification hearings are conducted within 14 calendar days of the inmate's arrival to the Facility.

- D. **Documentation.** Results of committee actions are documented on a Classification Chrono (CDC 128-G). A copy of the CDC 128-G is given to the inmate and a copy is maintained in the inmate's field file.
(Authority: DOM, Section 62010.9.1; Statement of Work, Contractor Authority and Responsibilities-Public, page 6E; and Private, page 8F.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures, inmate field files, observed classification committee, and interviewed staff and inmates.

The review revealed that the classification committee generates a CDC 128-G. A copy of the CDC 128-G is given to the inmate and a copy is routed to the inmate's field file.

V. PROGRAMS

- A. **The IWTIP.** The Facility shall establish and maintain IWTIP positions for work assignments either within the Facility or outside the Facility.
(Authority: DOM, Section 53130; Statement of Work, Program Operations-Public, page 11C; and Private, page 16C.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's unit documentation and interviewed staff and inmates.

The review revealed that Baker CCF has established and maintains IWTIP positions for work and education assignments within the Facility. There is a written job description for every position which describes defines tasks to be performed. Documentation was provided which indicated that all inmates, not on orientation status or pre-parole status, are assigned to full-time work and/or education assignments. However, there were no inmate time cards in Receiving and Release for January and the time cards in Education are not completed timely.

- B. **Pre-Release.** The Facility shall provide pre-release program services subject to budgeted resources. Pre-release curriculum meets the minimum content described in CDCR Policy.
(Authority: DOM, Section 53090.6; Statement of Work, Program Operations, Public, page 11B; and Private, page 16B.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's unit documentation and interviewed staff and inmates.

The review revealed that a pre-release program is provided and the curriculum content meets CDCR policy.

- C. **Educational Programs.** Educational programs shall be managed by staff who meet the credential standards as set forth by the Commission on Teacher Credentialing.
(Authority: DOM, Section 53090.1; Statement of Work, Program Operations, Public, page 14E; and Private, page 18E-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's personnel records and interviewed staff.

The review revealed that educational program is managed by staff who is credentialed.

1. The contractor shall ensure that inmates achieving less than a 6.0 grade level or with limited English proficiency are assigned to ABE or English as a second language (ESL) program in accordance with available resources.
(Authority: DOM, Section 53090; Statement of Work, Program Operations Public, page 14E; and Private, page 18-#4.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's unit documentation and interviewed staff and inmates.

The review revealed that inmates achieving less than a 6.0 grade level or with limited English proficiency are assigned to ABE or ESL programs. Each program is designed to prepare the student to take the General Education Development examination. It should be noted that Baker CCF is having difficulty soliciting volunteers from local educational community to administer the GED test.

2. Educational programs shall be conducted Monday through Friday year round, excluding State and national holidays for a minimum of six and a maximum of seven and one half hours per day.
(Authority: DOM, Section 53090.3.5; Statement of Work, Program Operations-Public, pages 2 and 14E-#3; and Private, page 18E-#6.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policies and procedures and interviewed staff.

The review revealed that educational programs are conducted Monday through Friday, year round, excluding State and national holidays. It should be noted that Baker CCF schedules classes for only 3.5 hours a day so as to allow students to attend school for a half day and to work for an additional 3.5 hours.

- D. **Religious Programs.** The contractor shall establish a written procedure for voluntary participation in religious programs and shall make such information available to all inmates.
(Authority: DOM, Section 53050; Statement of Work, Program Operations-Public, page 14F; and Private, page 19F.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's religious program procedures and interviewed staff and inmates.

The review revealed that Baker CCF maintains a current written procedure, No. 431-1, for voluntary participation in religious programs. Facility practice is consistent with policy. Inmates are informed of religious instruction and services at the orientation meeting. Additionally, service times and events are posted in the units. Representatives of various religious faiths and denominations are scheduled to hold services on various days at various times throughout the week, primarily during the evening hours.

- E. **Library Services.** The contractor shall provide an inmate library in the Facility with accessibility to the inmates for a minimum of 30 hours a week. When law library Facilities are required, the Facility provides transportation to the CDCR hub institution.
(Authority: DOM, Section 53060; Statement of Work, Program Operations-Public, page 14G; and Private, page 20G.)

FINDING

COMPLIANCE

The CPRB toured the inmate library and interviewed staff and inmates.

The review revealed that Baker CCF provides inmates accessibility to the library a minimum of 30 hours per week. When law library facilities are required, staff arrange and provide transportation to the California Institution for Men (CIM), the designated hub institution.

- F. **Visiting.** The contractor shall establish written procedures for the administration and operation of a visiting program consistent with CDCR policy.
(Authority: CCR, Section 3170; DOM, Section 54020; Statement of Work, Program Operations-Public, page 15H; and Private, page 20-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's visiting procedures and interviewed staff and inmates.

The review revealed that Baker CCF maintains a current written procedure, No. 251-1, for the administration and operation of a visiting program consistent with CDCR policy. Facility practice is consistent with policy. Visiting is scheduled and held on Saturdays, Sundays, and holidays. Attorney/client visits are scheduled by appointment.

- G. **Canteen.** The contractor shall establish an inmate canteen program and written operating procedures in compliance with CDCR policy.
(Authority: CCR, Sections 3090-3095; DOM, Section 54070; Statement of Work, Program Operations-Public, page 16I; and Private, page 21I.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's canteen procedures, toured the canteen, and interviewed staff and inmates.

The review revealed that Baker CCF has established an inmate canteen program through Keefe Commissary Network and written operating procedures, No. 110-3, in compliance with CDCR policy. Facility practice is consistent with policy. Inmates may purchase canteen items monthly, not to exceed \$180.00 per month. The canteen provides a reasonable selection of items of interest to racial/ethnic groups. Upon purchase of canteen items, inmates receive an updated statement of account reflecting current account activity.

- H. **Recreation Programs.** The contractor shall provide a recreational and physical education program that maximizes voluntary participation under safe, secure, and healthful conditions to promote physical fitness and relaxation.
(Authority: CCR, Section 3220; DOM, Section 53070; Statement of Work, Program Operations-Public, page 16K; and Private, page 22J.)

FINDING

COMPLIANCE

The CPRB toured Baker CCF's exercise yards and indoor recreational facility, and interviewed staff and inmates.

The review revealed that Baker CCF has an established recreational and physical education program. The outdoor recreation area is equipped with items such as a volleyball net, basketball court, shuffleboard, tables, and benches, etc. Recreation equipment is maintained in a safe and usable manner.

- I. **Medical Services.** The contractor shall develop and implement written procedures for routine sick call and emergency medical and/or dental services.

(Authority: DOM, Section 54050; Statement of Work, Program Operations-Public, page 11A; and Private, page 22K.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's medical and dental procedures, toured the health services area, and interviewed staff.

The review revealed that Baker CCF has developed and implemented written procedures, Nos. 311-1 through 322, for routine sick call and emergency medical and/or dental services. Inmates submit sick call slips for routine medical services, and requests are handled expeditiously. Medical emergencies are handled through the hub institution or Barstow Community Hospital as deemed necessary. Routine dental appointments are scheduled with the hub institution and dental emergencies are treated in the same manner as a medical emergency.

1. The contractor shall maintain current and confidential health records in a secure location.

(Authority: DOM, Section 54046; Statement of Work, Program Operations-Public, page 11A; and Private, page 22K.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's medical records, toured the health services area, and interviewed staff.

The review revealed that Baker CCF maintains inmate health records within a locked file cabinet in a locked office. The Facility nurse retains the keys to the office and the file cabinet. At the end of the

Facility nurse's shift, the keys are given to Control for access, if necessary.

VI. DISCIPLINE

- A. **Policy.** The contractor shall develop an inmate disciplinary plan, which meets the requirements of CDCR's policy, due process, and specific time limits.
(Authority: DOM, Section 52080; CCR, Sections 3310-3326; Statement of Work, Contractor Authority and Responsibilities-Public, page 7G; and Private, page 8G.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's inmate disciplinary plan, inmate field files, and interviewed staff.

The review revealed that the Baker CCF has an established inmate disciplinary plan, No. 231-1, which meets the requirements of CDCR policy, due process, and specific time limitations. Facility practice is consistent with policy.

- B. **Disciplinary Actions.** The contractor staff shall initiate and participate in informal and formal disciplinary actions within the context of progressive disciplinary practices.
(Authority: CCR, Section 3312; DOM, Section 52080; Statement of Work, Contractor Authority and Responsibilities-Public, page 7G; and Private, page 8G.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's disciplinary log, inmate field files, policy and procedures, and interviewed staff.

The review revealed that Baker CCF employs a progressive inmate disciplinary process, which includes verbal counseling; CDC 128-A; and a formal CDC 115.

- C. **Documentation.** The contractor shall have the responsibility of documenting negative behavior and writing initial charges in accordance with CDCR's policy and regulations.
(Authority: CCR, Section 3312; DOM, Section 52080; Statement of Work, Contractor Authority and Responsibilities-Public, page 7G; and Private, page 8G.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures, inmate field files, and interviewed staff.

The review revealed that Baker CCF utilizes departmentally approved processes for documenting inmate negative behavior. This is accomplished through the utilization of the CDC 128-As and formal disciplinary reports.

- D. **Classification of Rule Violations.** CDCR staff shall determine the disciplinary action as administrative or serious in CDC 115s initiated within the CCF.
(Authority: CCR, Section 3313; DOM, Section 52080; Statement of Work, Contractor Authority and Responsibilities-Public, pages, 7G; and Private, page 8G.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures, inmate field files, and interviewed staff.

The review revealed that the CDCR staff (Senior Hearing Officers) have the responsibility for classifying inmate disciplinary reports.

- E. **Authority.** CDCR staff has the final authority in all formal disciplinary actions initiated within the CCF.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 7G; and Private, page 8G.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures, inmate field files, and interviewed staff.

The review revealed that CDCR staff conduct disciplinary hearings for all serious and administrative violations. Adjudicated CDC 115s are forwarded to the Chief Disciplinary Hearing Officer (CCFA Administrator) for review and final signature.

- F. **Record of Disciplinary Matters.** The Facility maintains copies of all CDC 115s in a Register of Violations and, when appropriate, in the inmate's Facility case file.
(Authority: CCR, Section 3326; Statement of Work, Contractor Authority and Responsibilities-Public, pages 7G and 7H; and Private, page 8G.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures and interviewed staff.

The review revealed that Baker CCF maintains copies of adjudicated CDC 115s and a Disciplinary Log Book. Log numbers are obtained from the CCFA when a disciplinary report is generated. The

Correctional Lieutenant in charge of the disciplinary process records the approved log number on the disciplinary log.

VII. RECORDS

- A. **Inmate Files.** There shall be a case file maintained on each inmate assigned to the CCF.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 7H; and Private, page 9I-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's inmate field files and interviewed CDCR staff.

The review revealed that the CCs maintain, by caseload, a file on each inmate assigned to the Baker CCF.

- B. **File Security.** All local case files shall be secured in a locked file cabinet marked "Authorized Personnel." Only authorized CDCR and contractor staff shall have access to these files.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public 7H; and Private, page 9I-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's inmate field files and interviewed CDCR staff.

The review revealed that the inmate field files are maintained, by caseload, within a locked office. The CCs maintain access to these files and permit access only to CDCR staff. Information required by Baker CCF staff is accessed through the CCs.

- C. **Release of Information.** The contractor shall have a written policy and procedures regarding confidentiality of individual case records, which addresses, at minimum, client access, staff access, and release of information. The policy will assure compliance with CDCR policy and the Information Practices Act.
(Authority: DOM, Section 13010.11; CCR, Section 3450; Statement of Work, Contractor Authority and Responsibilities-Public, page 2B; and Private, page 10-#4.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policies and procedures and interviewed CDCR staff.

The review revealed that Baker CCF's procedure, No. 203-6, addressed the accessibility of inmate field files and the release of information therein. Facility practice is consistent with policy.

- D. **The DMS.** The contractor shall submit a DMS to the CCFA Administrator to include information on CDCR inmates received or discharged.
(Authority: DOM, Section 52020; Statement of Work, Contractor Authority and Responsibilities-Public, page 11A; and Private, page 9-#2.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's DMS and interviewed staff.

The review revealed that Baker CCF transmits, by facsimile, the DMS to the CCFA daily. Copies are maintained by the Facility administration.

VIII. APPEALS

- A. **Forms.** The contractor shall ensure inmate appeal forms (CDC Form 602) are readily available to all inmates.
(Authority: CCR, Section 3084; Statement of Work, Contractor Authority and Responsibilities-Public, page 6F; and Private, page 9H-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's appeal procedures and interviewed staff and inmates.

The review revealed that Baker CCF has the CDC 602 available in the program office or through contact with staff.

- B. **Informal Level.** The contractor staff shall respond to appeals at the informal level.
(Authority: CCR, Section 3084; Statement of Work, Contractor Authority and Responsibilities-Public, page 6F; and Private, page 9H-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's appeal procedures and documentation; and interviewed CDCR staff and inmates.

Documentation and interviews with staff and inmates revealed that there is a current appeals policy in place and the appeal process is adhered to and addressed at the informal level. Facility and CDCR staff handle appeals related to CCF issues.

- C. **First Level.** The CDCR staff shall review or assign to appropriate contractor staff, inmate appeals at the first formal level.
(Authority: CCR, Section 3084; Statement of Work, Contractor Authority and Responsibilities-Public, page 6F; and Private, page 9H-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's appeal procedures and interviewed staff.

The review revealed that both CDCR and contractor staff are responding to first level appeals in a timely manner with CDCR staff reviewing this process.

- D. **Second Level.** The second level appeal shall be transmitted to CCFA for review by the CCFA Administrator or designee.
(Authority: CCR, Section 3084; Statement of Work, Contractor Authority and Responsibilities-Public, page 6F; Private, page 9H-#1.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's appeal procedures and interviewed staff.

The review revealed there is a tracking system in place to document that second level appeals are transmitted to CCFA for review and response.

- E. **Record of Appeals.** The contractor shall ensure that all appeals are filed in accordance with CCR, Sections 3084 through 3084.7.
(Authority: CCR, Section 3084; Statement of Work, Contractor Authority and Responsibilities-Public, page 6F; and Private, page 9H-#2.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's record of appeals and interviewed staff.

The review revealed that Baker CCF ensures that all appeals are filed in accordance with the CCR. The Appeals Coordinator, CC II, collects the CDC 602s, and records them in the appeals log.

- F. **CCR, Title 15.** The CDCR shall ensure copies of CCR, Title 15, Division 3, in English and Spanish are available to the contractor for distribution to all inmates.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 11A; and Private, page 9H-#2.)

FINDING

COMPLIANCE

The CPRB toured the Facility and interviewed staff and inmates.

The review revealed that CDCR provides Baker CCF with current copies of CCR, Title 15, Division 3, in English and Spanish.

- G. **Training.** The contractor and CDCR shall provide ongoing appeals training to staff to ensure adherence and compliance with CCR, Sections 3084 through 3084.7.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 3C; and Private, page 9H-#2.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's training records and interviewed staff.

The review revealed that appeals training is being provided to Baker CCF staff to ensure adherence and compliance with policy and procedure.

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X SAFETY

- A. **Fire Safety.** The contractor shall have a written policy and procedures, which specify the Facility's fire prevention regulations and practices to ensure the safety of staff, inmates, and visitors.
(Authority: DOM, Section 52090; Statement of Work, Contractor Authority and Responsibilities-Public, page 9J; and Private, page 12-#6.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's safety procedures and interviewed staff.

The review revealed that Baker CCF maintains a current written procedure, No. 211-1, which specifies the Facility's fire prevention regulations and practices to ensure the safety of staff, inmates, and visitors.

1. The contractor shall conduct quarterly fire emergency drills under varied conditions and during hours when a majority of inmates are in the Facility.

(Authority: DOM, Section 52090; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9J; and Private, page 12-#5.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's safety procedures and interviewed staff.

Documentation provided by Facility staff indicated that the Baker CCF has conducted each (100 percent) of the four required quarterly fire emergency drills, under varied conditions and during hours when a majority of the inmates are in the Facility.

2. The contractor shall have an annual inspection and clearance by local and State fire officials.

(Authority: DOM, Section 52090; Statement of Work, Contractor Authority and Responsibilities-Public, page 9J; and Private, page 12.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's safety procedures and interviewed staff.

The review revealed that the most recent annual safety inspection was conducted at Baker CCF on September 12, 2007. This inspection was conducted by the State Fire Marshall.

- B. **Hazardous Material.** The contractor shall have written procedures in accordance with DOM, Section 52030, for the storage, accountability,

handling, and dispensing of all volatile, toxic, or hazardous materials and substances.

(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 11A; and Private, page 12-#8, #9, and #10.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's safety procedures and interviewed staff.

The review revealed that Baker CCF has written procedures, No. 213-1, in accordance with DOM for the storage, accountability, handling, and dispensing of all volatile, toxic, or hazardous materials and substances. Facility practice is consistent with policy. All hazardous materials are stored in locked areas, which are located in the maintenance areas.

XI. GENERAL

- A. **New Arrivals.** The contractor has established and maintains a written procedure for the issuance of clean usable clothing, bedding, linen, and towels for new arrivals with provisions for subsequent exchange or laundering on a weekly basis.
(Authority: CCR, Sections 3030 and 3031; DOM, Section 54090; Statement of Work, Contractor Authority and Responsibilities-Public, page 11A; and Private, page 10J.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policy and procedures and interviewed staff.

The review revealed that Baker CCF has established and maintains a written procedure, No. 283-1, which delineates the issuance of

clothing, bedding, and linen for newly arriving inmates. Facility practice is consistent with policy.

- B. **Hygiene.** The contractor provides adequate, clean, and working shower, sink, and toilet facilities.
(Authority: CCR, Sections 3060-3062: Statement of Work, Contractor Authority and Responsibilities-Public, page 1A; and Private, page 10J.)

FINDING

COMPLIANCE

The CPRB toured the Baker CCF and interviewed staff.

The review revealed that Baker CCF provides adequate, clean, and working shower, sink, and toilet facilities within each dorm in the Facility. The review team notes that in Dorm 8, there was mold present in the shower and bathroom areas, holes were observed in the walls, and leaks were present under the sink. Documentation was present to verify that work orders have been submitted, and work has begun, to repair these issues.

- C. **Inmate Telephones.** The contractor has established and maintains written policy and procedures for the governing of telephones for use by inmates in the Facility. Inmates should be permitted reasonable access to telephones for personal and program-related purposes.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 8I; and Private, page 11-#8.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's telephone procedures and interviewed staff and inmates.

The review revealed that Baker CCF maintains a written procedure, No. 253-1, governing the use of telephones for inmates. Facility practice is consistent with policy. Inmates are provided reasonable access to telephones centrally located within the Facility.

- D. **Inmate Mail.** The contractor has established and maintains written policy and procedures governing inmate mail, correspondence, legal items, and packages.
(Authority: DOM, Section 54010; CCR, Section 3130; Statement of Work, Contractor Authority and Responsibilities-Public, pages 1A and 16J; and Private, page 15-#6.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's mail procedures and interviewed staff and inmates.

The review revealed that Baker CCF maintains written procedures, Nos. 241-1 and 252-1, governing inmate mail, correspondence, legal items, and packages. It is noted that inmates send and receive mail and packages pursuant to policy.

- E. **Inmate Access to Computers.** The contractor has established and maintains written policy and procedure governing inmate access to computers in accordance with CDCR policy.
(Authority: DOM, Section 49020.6.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's policies and procedures and interviewed staff.

The Baker CCF maintains a written procedure, No. 207-1 outlining authorized computer access for inmates and authorized computer

programs for use. Facility practice is consistent with policy. It was noted that modems are not utilized in any computers inside the security area where inmates have access. Additionally, computers used by inmates are identified as inmate accessible.

- F. **Security Areas.** The contractor maintains, on-site, a depiction of the Facility with the floor plan identifying the secure and non-secure areas, denoting the location of security post positions.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 1A; and Private, page 11-#9.)

FINDING

COMPLIANCE

The CPRB toured the Facility and interviewed staff.

The review revealed that Baker CCF maintains a floor plan depiction of the Facility, which is kept in a strategic area within the Facility under lock and key.

- G. **Housekeeping and Maintenance.** The contractor has a housekeeping and maintenance plan and maintains weekly inspection reports to ensure the Facility is clean and in good repair.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 8I; and Private, page 11-#7.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's housekeeping and maintenance plan and interviewed staff.

The review revealed that Baker CCF maintains a written procedure, No. 281-1, for housekeeping and the preventative maintenance and inspection of the Facility and equipment. Facility practice is

consistent with policy. The Facility maintains weekly inspection reports and a record of repairs performed.

XII. FOOD SERVICES

- A. **Meals.** The contractor shall provide food services at the Facility that meet the nutritional standards consistent with DOM, Section 54080. The food service staff shall develop and follow menus approved by the CDCR Food Administrator or a State licensed dietitian.
(Authority: CCR, Section 3050; Statement of Work, Contractor Authority and Responsibilities-Public, page 9K; and Private, page 12M.)

FINDING

COMPLIANCE

The CPRB toured Baker CCF's main kitchen, examined menus, and interviewed staff and inmates.

The review revealed that Baker CCF has developed and follows menus that are approved by a State licensed dietitian. These menus are posted in various areas throughout the Facility, including the dormitory housing units. The Baker CCF provides two hot meals and a cold lunch per day to all inmates excluding outside work crews who are provided a sack lunch.

- B. **Special Diets.** The contractor shall provide for the special dietary needs of the inmates. Any special menu/diet required to meet medical needs shall be approved by CDCR's medical personnel and provided by the contractor.
(Authority: CCR, Section 3054; DOM, Section 54080; Statement of Work, Contractor Authority and Responsibilities-Public, pages 1A and 9K; and Private, page 12M.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's special diet menus, toured the main kitchen, and interviewed staff.

The review revealed that Baker CCF can accommodate inmates with special dietary needs. These special diet menus have been reviewed and approved by CDCR medical personnel.

- C. **Meal Samples.** The contractor shall retain refrigerated, covered, tagged, and dated samples of meals served for a minimum of 72 hours to determine what food items may be responsible in the event of alleged food poisoning or infection.
(Authority: DOM, Section 54080.8; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9K; and Private, page 12M.)

FINDING

COMPLIANCE

The CPRB toured Baker CCF's main kitchen and interviewed staff.

The review revealed that Baker CCF retains a refrigerated, covered, tagged, and dated sample of meals served for a minimum of 72 hours.

- D. **Inmate Workers.** The contractor shall ensure that each inmate culinary worker is medically cleared for food handling before assignment to food services.
(Authority: CCR, Section 3052; DOM, Section 54080; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9K; and Private, page 12M.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's inmate medical clearance forms and interviewed staff.

The review revealed that Baker CCF ensures each culinary worker is medically cleared before assignment to food services. This food handling clearance documentation is maintained in the inmate's health record. If a change to the medical clearance status occurs, medical staff notify the kitchen staff and the inmate worker is removed from food handling assignments via procedures.

- E. **Health Codes.** The contractor shall maintain a copy of the annual inspection regarding sanitation, safety and food handling practices, conducted by the Department of Health Services.
(Authority: CCR, Section 3052; DOM, Section 54080; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9K; and Private, page 13-#5.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's annual sanitation inspection and interviewed staff.

The review revealed that the annual sanitation inspection was conducted by the Department of Environmental Health Services on October 25, 2007. The Facility is awaiting receipt of the completed report.

- F. **Dry Storage.** Foods must be stored properly. Dry food and canned goods shall be properly stored in an appropriate storage area.
(Authority: CCR, Section 3052; DOM, Section 54080; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9K; and Private, page 12M.)

FINDING

COMPLIANCE

The CPRB toured Baker CCF's main kitchen and storage area and interviewed staff.

The review revealed that food items are properly stored and cleaning supplies are kept separate from food items.

- G. **Refrigeration.** Refrigeration and freezer equipment is monitored for proper temperatures and food items are properly stored to facilitate proper air circulation.
(Authority: CCR, Section 3052; DOM, Section 54080; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9K; and Private, page 12M.)

FINDING

PARTIAL COMPLIANCE

The CPRB toured Baker CCF's main kitchen and interviewed staff.

The review revealed there is a logging system in place to monitor refrigeration and freezer equipment. However, milk was observed stored on the floor and not on shelving or pallets in the Facility walk-in refrigerator.

- H. **Vector Control.** Control of vermin and pests is managed by contract with a licensed professional pest control company.
(Authority: CCR, Section 3052; DOM, Section 54080; Statement of Work, Contractor Authority and Responsibilities-Public, pages 11A and 9K; and Private, page 12M.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's vector control contract and interviewed staff.

The review revealed that Baker CCF contracts for monthly vector control services by a licensed professional pest control agency, Dewey Pest Control Services, Inc.

XIII. DEPARTMENTAL – FACILITY INTERCOMMUNICATION

- A. **Hub Institutions.** Identify the hub institutions that service this Facility for disciplinary, medical, law library, and emergency services.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 11A; and Private, page 22K.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's medical, dental, disciplinary, and emergency procedures, and interviewed staff.

The review revealed that the CIM has been designated as the hub institution for disciplinary, medical, law library, and emergency services for Baker CCF.

- B. **Mutual Aid.** The contractor has established mutual aid agreements with local and state law enforcement agencies.
(Authority: Statement of Work, Contractor Authority and Responsibilities-Public, page 1A; and Private, page 11L-#2.)

FINDING

COMPLIANCE

The CPRB examined Baker CCF's security procedures and interviewed staff.

The Baker CCF has negotiated and developed a mutual aid agreement with the San Bernardino County Sheriff's Department, and the CIM.

GENERAL OBSERVATIONS

The Facility expressed a concern regarding the availability of Off Reservation Work Detail qualified inmates to support the local Fire Department. Historically, these inmates receive CPR and First Responder training by the Fire Department to assist with major traffic accidents and fire emergencies in this remote community.

Logs are not utilized to identify all vehicular ingress and egress to the Facility.

There were no inmate time cards in Receiving and Release for January and the time cards in Education are not completed timely.

The review team notes that in Dorm 8, there was mold present in the shower and bathroom areas, holes were observed in the walls, and leaks were present under the sink. Documentation was present to verify that work orders have been submitted, and work has begun, to repair these issues.

Review of Community Correctional Facilities

Baker Community Correctional Facility

GLOSSARY

ABE	Adult Basic Education
CC	Correctional Counselor
CCF	Community Correctional Facility
CCFA	Community Correctional Facility Administration
CCR	California Code of Regulations
CDC 115	Rules Violation Report
CDC 128-A	Counseling Chrono
CDC 128-G	Classification Chrono
CDC 1860	Post Order Acknowledgement Form
CDC 602	Inmate Appeals Form
CDCR	California Department of Corrections and Rehabilitation
CIM	California Institution for Men
CPRB	Compliance/Peer Review Branch
CSA	Correctional Standards Authority
DMS	Daily Movement Sheet
DOM	Department Operations Manual
ESL	English as a Second Language
FMH	Financial Management Handbook
IWTIP	Inmate Work Training Incentive Program
PC	California Penal Code